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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,110

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Horst Tillmann

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10/03/2008

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EXAMINER

DELISLE, ROBERTA S

ART UNIT

PAPER NUMBER

3677

MAIL DATE

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10/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/586,110	Applicant(s) TILLMANN, HORST	
	Examiner ROBERTA DELISLE	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

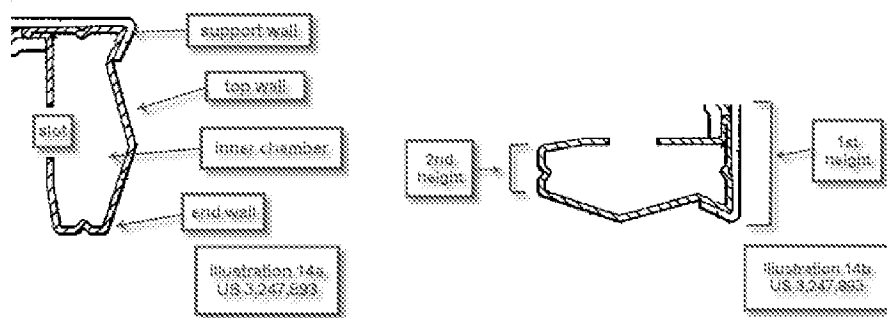
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 14-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Ford (US 3,247,893).

Regarding Claim 14, Ford discloses: Reference figure 17, for example

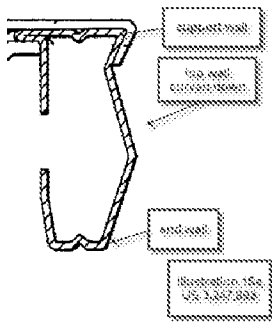
(New) A slide channel (**Abstract**) for a slide member of a door closer, comprising:
a housing (**14**) having a length and a longitudinal slot extending over the entire length of the housing, the housing (**14**) comprising: a support wall; an end wall disposed opposite the support wall; and a top wall disposed opposite the longitudinal slot and connecting the support wall and the end wall, wherein the support wall, the end wall and the top wall define an inner chamber for accommodating the slide member (**15a**), and wherein the support wall has a first height, the end wall having a second height which is less than the first height (**See Illustrations 14a & 14b below**)



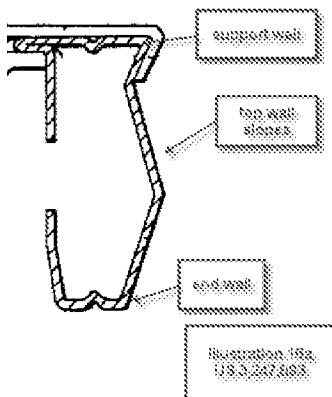
Art Unit: 3677

Regarding Claim 15, Ford further discloses:

(New) The slide channel of claim 14, wherein the top wall is downwardly curved from the support wall toward the end wall **(See Illustration 15a below)**

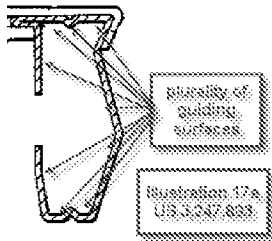
**Regarding Claim 16, Ford further discloses:**

(New) The slide channel of claim 14, wherein the top wall slopes from the support wall toward the end wall **(See Illustration 16a below)**

**Regarding Claim 17, Ford further discloses:**

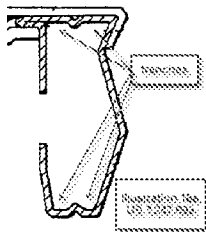
(New) The slide channel of claim 14, wherein the support wall, the end wall and the top wall have a plurality of guiding surfaces extending over the entire length of the housing for the slide member **(See Illustration 17a below)**

Art Unit: 3677



Regarding Claim 18, Ford further discloses:

(New) The slide channel of claim 14, wherein the support wall has at least one trench **(See Illustration 18a below)**

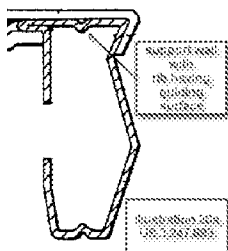


Regarding Claim 19, Ford further discloses:

(New) The slide channel of claim 14, wherein the top wall has at least one trench **(See Illustration 18a in claim 18)**

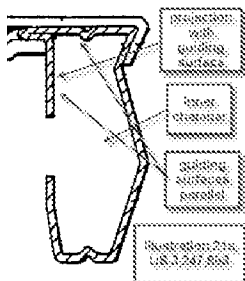
Regarding Claim 20, Ford further discloses:

(New) The slide channel of claim 17, wherein the support wall comprises a rib extending over the entire length of the housing, the rib having a surface which forms a first guiding surface of the plurality of guiding surfaces **(See Illustration 20a below)**

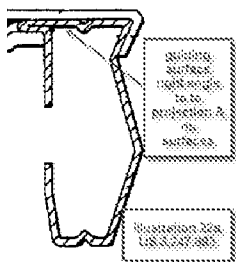


Regarding Claim 21, Ford further discloses:

(New) The slide channel of claim 20, wherein the support wall further comprises a first projection extending over the entire length of the housing and projecting into the inner chamber, the first projection having a surface which forms a second guiding surface of the plurality of guiding surfaces, the second guiding surface being opposite and parallel to the first guiding surface **(See Illustration 21a below)**

**Regarding Claim 22, Ford further discloses:**

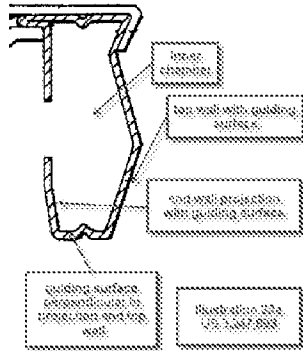
(New) The slide channel of claim 21, wherein the support wall further has a surface which forms a third guiding surface of the plurality of guiding surface, the third guiding surface being disposed at a right angle with respect to the first and second guiding surfaces **(See Illustration 22a below)**

**Regarding Claim 23, Ford further discloses:**

(New) The slide channel of claim 22, wherein the end wall comprises a second projection extending over the entire length of the housing and projecting into the inner chamber, the second projection having a surface which forms a fourth guiding surface of the plurality of guiding surfaces, wherein the top wall has a surface which forms a fifth guiding surface of the plurality of guiding surface, and wherein the end wall

Art Unit: 3677

further has a surface which forms a sixth guiding surface of the plurality of guiding surface, the fourth and fifth guiding surfaces facing each other and being perpendicular to the six guiding surface. **(See Illustration 23a below)**



Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

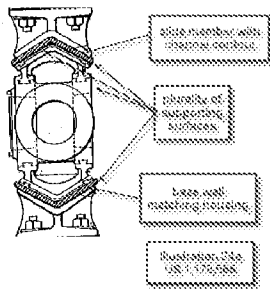
4. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford (US 3,247,893) in view of Thomson (US 1,178,555).

Regarding Claim 24, Ford discloses a slide channel as described previously, but lacks a slide member with matching contoured housing.

**Thomson teaches:
Reference figures 1-16, for example**

(New) A slide member for the slide channel of claim 14, having a slide channel contour with a plurality of supporting surfaces, the slide member **(figure 2)** comprising a base wall **(11)** which matches a contour of the housing of the slide channel **(7a)** **(See Illustration 24a below)**

Art Unit: 3677

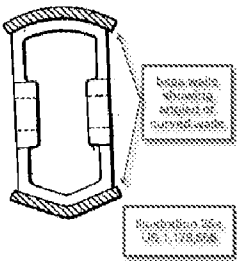


Examiner notes that Ford discloses a slide channel. Thomson teaches a slide member with contoured bases that match a contoured housing. The use of matching contoured components provides a more secure connection between the components since more surface area is being contacted. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ford with contoured mating surfaces as taught by Thomson to provide a secure connection between the components.

Regarding Claim 25, Ford as modified by Thomson discloses a slide channel but does not disclose a slide member with angled walls.

Thomson teaches:

(New) The slide member of claim 24, wherein the base wall (11) comprises two partial walls which are disposed at an angle with each other (See Illustration 25a below)



Examiner notes that Ford discloses a slide channel. Thomson teaches a slide member with angled base walls. The angled base walls provide a more secure connection between the components since more surface area is being contacted. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ford with angled mating surfaces as taught by Thomson to provide a secure connection between the components.

Regarding Claim 26, Ford discloses as modified by Thomson discloses a slide channel but does not disclose slide member with curved walls.

Art Unit: 3677

Thomson teaches:

(New) The slide member of claim 24, wherein the base wall (11) has a curved shape **(See Illustration 25a in claim 25)**

Examiner notes that Ford discloses a slide channel. Thomson teaches a slide member with a curved base wall. The curved base wall provides a more secure connection between the components since more surface area is being contacted. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ford with a curved mating surface as taught by Thomson to provide a secure connection between the components.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERTA DELISLE ("Bobbi") whose telephone number is (571) 270-3746. The examiner can normally be reached on M-F 8 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor D. Batson can be reached on (571) 272- 6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Victor Batson/
Victor D. Batson
Supervisory Patent Examiner
Art Unit 3677

rsd